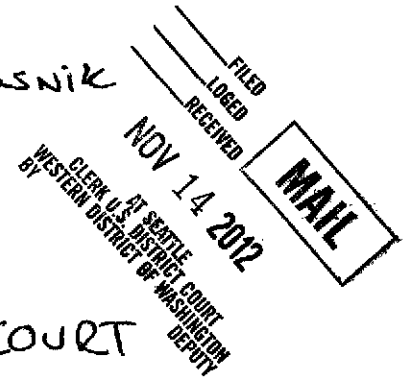


12-CR-00001-DOCTRM

Honorable Robert S. Hasnik



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4. UNITED STATES DISTRICT COURT  
 5. WESTERN DISTRICT OF WASHINGTON  
 6. AT SEATTLE

7. UNITED STATES OF

8. AMERICA

9. Plaintiff,

10.

11. V.

12.

13. Timothy Doran

14. Defendant

15.

Cause No: CR12-001-RSL

MOTION FOR  
 STATUS HEARING  
 IN RE:

F.R.Cr.P. 16, 41(E),  
 41(G)

16. THIS MATTER comes before the above-entitled  
 17. Court in regard to Defendant's request for  
 18. Discovery pursuant to Rule 16. Giving great  
 19. Credence to Defendant's request, he relies  
 20. on Federal Rule of Criminal Procedure 16.  
 21. See Brady v. Maryland, 373 U.S. 83, 10 L. Ed.  
 22. 2d 215, 83 S. Ct. 1194 (1963). Defendant has  
 23. continuously requested counsel to impel prosecution  
 24. and/or compel this court for discovery based  
 25. on Federal Agent's seizure of defendant's

1 computer data being exculpatory evidence;  
2 that would in fact prove defendants innocence.  
3 Requested any & all but not limited to;

4 ① Scientific Evidence: All reports relating to  
5 forensic and/or scientific evidence in  
6 regard to the Nguyen, Thi Bich Ngoc  
7 murder investigation. Including names,  
8 addresses, telephone numbers of all  
9 individuals who conducted any forensic  
10 and/or scientific testing regarding the  
11 above referenced murder investigation.  
12 This request includes but is not limited  
13 to all autopsy reports, finger print reports  
14 any DNA testing.

15 ② Photographs & Physical Evidence: Any items of  
16 physical evidence which the Government may  
17 introduce into evidence or have in it's  
18 possession. This request also would pertain  
19 to any items that are in the possession of  
20 the Government of Vietnam, Police of Vietnam  
21 or local Police of the city of Nha Trang  
22 Vietnam. Copies of photographs, crime scene  
23 sketches, finger print evidence and all reports  
24 thereon which the Government may rely.

1 ③ Statements By The Defendant: All written or  
2 recorded statements made by the Defendant,  
3 as well as the substance of any oral  
4 statements made by the Defendant regarding  
5 the afore referenced murder investigation.

6 ④  
7 Witness Statements: Any statements  
8 made by a prospective witness of which relates  
9 to the afore mentioned murder investigation  
10 to which said witness will testify at hearing,  
11 sentencing, pursuant to 18 U.S.C. sect. 3500.

12 ⑤  
13 Search Warrants: Copies of any search  
14 warrant and supporting affidavits for search  
15 warrants, arrest warrants, and consent to  
16 search forms used in this case and a list  
17 of all items seized in relation to this case  
18 and the afore mentioned murder investigation.

19  
20 ⑥ Informers, Confidential Informants, Undercover  
21 Agents: State whether or not there were  
22 any informers, confidential informants and/or  
23 undercover agents were involved in the afore  
24 referenced murder investigation and if so  
25 state:

- 1 1) Reveal Identity of said individuals;
- 2 2) Produce any statements and reports made
- 3 by said individuals;
- 4 3) Produce any recordings, and transcripts
- 5 thereof, of any conversations in which said
- 6 individuals were involved.

7

8 ④ Tape Recordings, Transcripts And Reports:-

- 9 Produce and provide any and all tape recordings
- 10 (audio and/or video) and transcripts thereof of
- 11 any witnesses or law enforcement officer and
- 12 all conversations between said witnesses and
- 13 confidential informants, unindicted co-conspirators,
- 14 co-conspirators and co-defendants with regard to
- 15 the afore mentioned murder investigation.

16

- 17 ⑤ Investigation Subpoena:- Produce any Invest-
- 18 igation Subpoena and Application for said Subpoena
- 19 which may have been used by law enforcement
- 20 authorities to obtain evidence or testimony
- 21 against Defendant with regards to this case
- 22 and/or the afore mentioned murder investigation.
- 23

- 24 ⑥ Documents And Physical Evidence:- Produce
- 25 any and all books, papers, photographs tangible

things or copies of portions thereof, which are in the possession, custody or control thereof the Government, the Government of Vietnam, the Police of Vietnam or local Police agencies of the City of Nha Trang, Vietnam and which are material to the preparation of the defense or are intended to be used by the Government as evidence at the trial or hearing with regards to this case and the above mentioned murder investigation.

(10) Prior Criminal History And Activity: Provide all facts, information, rumors and suspicions on which law enforcement agents had reason to believe that the Defendant was engaging in criminal activity prior to the conduct alleged in the above mentioned murder investigation.

See: United States v. McClain 531 F.2d 431 (9th Cir 1976)

(11) Brady Evidence: Produce all documents of evidence in the possession of the prosecutor, or any Government agency, or the Government of Vietnam, the Police of Vietnam or local Police of the City of Nha Trang Vietnam which is favorable to the Defendant in accordance

1 with Brady v. Maryland, 373 U.S. 83 (1963).  
 2 Said production must extend to material in  
 3 the hands of other Government agencies besides  
 4 the United States Attorney's office. United  
 5 States v. Brooks, 966 F.2d 1500 (D.C. Cir. 1992)

6

7 (12) Sworn, Written, Recorded or Transcribed Witness  
 8 Statements: Produce any and all statements  
 9 of witnesses which relates to the subject  
 10 matter as to which witnesses will testify  
 11 regarding this case and the above mentioned  
 12 murder investigation. This request includes  
 13 production of any testimony before a court record  
 14 or a grand jury as well as any sworn, written,  
 15 recorded or transcribed statements.

16

17 (13) Text Messages And Computer Messages:  
 18 Produce any and all telephonic text messages,  
 19 computer E-mails, chat, instant messages,  
 20 photographs, video's and audio recordings,  
 21 voice mails retrieved from Defendant's  
 22 computers and or cell phone in the possession,  
 23 custody or control thereof the Government,  
 24 the Government of Vietnam, Police of Vietnam, or  
 25 the Police of the City of Nha Trang Vietnam.

1 in regard to this case and the afore  
2 mentioned Murder investigation.

3

4 (14) Return of Property: Return any and all  
5 property belonging to Defendant that was  
6 surrendered, seized or given, via a third  
7 party, to or by Government agents or Police  
8 agencies in regard to this case or the afore  
9 mentioned Murder investigation. See Giglio  
10 v. U.S., 405 U.S. 150 (1972) and F.R.C.P. 41(E),  
11 (G).

12

13 Conclusion:

14

15 In sum, the Defendant's afore mentioned  
16 request are relevant and fall within the  
17 realm of the law.

18

19 Therefore, Defendant respectfully  
20 request the Court to exercise it's inherent  
21 authority to Order the Government and  
22 prosecutor's office to comply completely  
23 with the afore mentioned request immedi-  
24 ately.

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Timothy Dugan  
*Timothy Dugan*

November 5, 2012

Legal  
Mail  
N

FEDERAL DETENTION CENTER  
NAME: DOCON, TIM  
REG: 41804-006 UNIT: 08  
P.O. BOX 13900  
SEATTLE, WA. 98198-1090



Honorable Robert S. Kasnik

PLEASE FORWARD TO:  
US DISTRICT COURT  
700 STEWART ST STE 2310  
SEATTLE WA 98101

